

Roup, Gapes, Canker and Colds * * * Roup Remedy Quickly Effects and a Marvelous Remedy * * * Roup—Half teaspoonful of remedy put down fowl's throat. * * * If eyes are swollen bathe with remedy, bad cases morning and evening; * * * Preventative one tablespoon in water or bran for twenty fowls. Gapes—One small drop in throat will destroy, or three drops in water will prevent. Canker—Small doses three or four times a day. Chickenpox—Apply full strength to sores. Diarrhea—Treatment for fowls same as Roup. For chicks, same as Gapes."

On October 29, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20157. Adulteration and misbranding of Thall's antiseptic roots: misbranding of Thall's cough syrup, female tonic, female tablets, rheumatic tablets, kidney tonic, nerve syrup, lung tonic, and la grippe capsules. U.S. v. David Thall (Thall's Home Remedy Laboratory). Plea of guilty. Fine, \$425. (F. & D. No. 28097. I.S. Nos. 28527, 28528, 28529, 30553, 30554, 30555, 30615, 30616, 30617.)

Examination of the drug preparations on which this case was based, disclosed that the articles contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labelings. Thall's antiseptic roots were represented to be an antiseptic, whereas they were not antiseptic when used as directed. Thall's rheumatic tablets contained phenacetin, a derivative of acetanilid, and the label failed to state that phenacetin is a derivative of acetanilid. Several of the products were labeled "nonalcoholic," whereas they contained undeclared alcohol.

On October 11, 1932, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against David Thall, trading as Thall's Home Remedy Laboratory, Manchester, N.H., charging violation of the food and drugs act as amended. It was alleged in the information that the defendant had shipped on various dates during a period embracing a date uncertain in January, 1931, to and including July 7, 1931, from the State of New Hampshire into the State of Rhode Island, a quantity of Thall's antiseptic roots which were adulterated, and quantities of Thall's cough syrup, female tonic, female tablets, rheumatic tablets, kidney tonic, nerve syrup, lung tonic, and la grippe capsules, which products were misbranded. The articles were labeled in part: "The Thall's Home Remedies are carefully prepared and personally supervised by D. Thall * * * Thall's Cough Syrup (etc) * * * Prepared by [or "Manufactured for" or "Prepared for"] Thall's Home Remedy Laboratory Manchester, N.H." The cough syrup, female tonic, kidney tonic, nerve syrup, and lung tonic were further labeled, "non-alcoholic."

Analyses of samples of the articles by this Department showed that Thall's cough syrup consisted essentially of extracts of plant drugs, a benzoic acid compound, tar, a small proportion of creosote, sugar, alcohol (5.24 percent), and water, flavored with caramel; Thall's female tonic consisted essentially of extracts of plant drugs, sodium benzoate, sugar, alcohol (4.9 percent) and water; Thall's antiseptic roots consisted essentially of coarsely ground bitter dock and cranesbill. Bacteriological examination of the antiseptic roots showed that they were not antiseptic. Thall's female tablets contained extracts of plant drugs and strychnine (0.0234 grain per tablet); Thall's rheumatic tablets contained per tablet 2 grains of acetphenetidin, 1.5 grains of quinine, small proportions of extracts of plant drugs and caffeine; Thall's kidney tonic consisted essentially of extracts of plant drugs including valerian, a trace of alkaloids, small proportions of volatile oils including peppermint oil, sugar, alcohol (4.46 percent), and water; Thall's nerve syrup consisted essentially of extracts of plant drugs including valerian and licorice, a trace of alkaloids, sugar, alcohol (4.28 percent), and water, flavored with caramel; Thall's lung tonic consisted essentially of extracts of plant drugs including wild cherry and licorice, sodium benzoate (1.6 grams per 100 milliliters), sugar, alcohol (2 percent by volume), and water; Thall's la grippe capsules contained quinine sulphate (0.7 grain per capsule), ammonium chloride, camphor, and extracts of plant drugs.

Adulteration of the antiseptic roots was alleged in the information for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, since it was represented to be

antiseptic, and to be an antiseptic wash when made and used according to directions, whereas it was not antiseptic and was not an antiseptic wash when made and used according to directions.

Misbranding was alleged with respect to all products for the reason that certain statements appearing on the bottle labels and on the cartons or packages containing the articles were false and fraudulent, that is to say, the cough syrup was falsely and fraudulently represented to be a relief and remedy for coughs, bronchitis, asthmatic coughs, and affections of the lungs; the female tonic was falsely and fraudulently represented to be effective as a female tonic, as a relief in cases of profuse menstruation, menorrhagia and whites, leucorrhea and painful menstruation, and effective as a treatment of ovarian trouble and as a tonic for weakness and dragginess in the womb and its regions from whatever cause; the antiseptic roots were falsely and fraudulently represented to be effective as a treatment, remedy, and cure for leucorrhea and gleet, ulcers and sores, and effective as a treatment in all kinds of diseases; the female tablets were falsely and fraudulently represented to be effective as a treatment, remedy, and cure for menstrual irregularities; the rheumatic tablets were falsely and fraudulently represented to be effective as a treatment, remedy, and cure for rheumatism, lumbago, stiff neck, neuralgia, and pain in the side; the kidney tonic was falsely and fraudulently represented to be effective as a kidney tonic, and effective to strengthen the kidneys and bladder, and as a relief for affections of the liver and stomach; the nerve syrup was falsely and fraudulently represented to be effective as a relief for nervous disorders, epilepsy, neuralgic convulsions, and asthmatic affections, and effective to relieve headache (*maux de tête*) hysteria (*hysterie*) and epileptic convulsions (*convulsions d'épilepsie*); the lung tonic was falsely and fraudulently represented to be effective as a lung tonic, effective to strengthen the lungs, and effective in the treatment of catarrh, spitting of blood, and affections of the lungs; and the la grippe capsules were falsely and fraudulently represented to be effective as a treatment, remedy, and cure for la grippe, grippe, and influenza, and effective to relieve pain and produce sleep.

Misbranding of the cough syrup, female tonic, kidney tonic, nerve syrup, and lung tonic was alleged for the further reason that the statement "non-alcoholic," borne on the cartons containing the articles was false and misleading in that the articles contained alcohol and were alcoholic; and for the further reason that the articles contained alcohol and the labels failed to bear a statement of the quantity and proportion of alcohol contained therein. Misbranding of the rheumatic tablets was alleged for the reason that they contained phenacetin, a derivative of acetanilid, and the label failed to bear a statement that phenacetin is a derivative of acetanilid.

On November 1, 1932, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$425.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20158. Misbranding of Creme Crede. U.S. v. 12 Large Tubes, et al., of Creme Crede. Product adjudged misbranded. Decree of destruction entered with provision for release under bond. (F. & D. No. 28836. Sample Nos. 6143-A, 6144-A.)

Examination of the drug product involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative or therapeutic effects claimed in the label.

On September 1, 1932, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 12 large tubes and 25 small tubes of Creme Crede, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped in interstate commerce, in part on or about June 3, 1932, and in part on or about June 16, 1932, by the Scientific Products Laboratories, from Lincoln, Nebr., to Kansas City, Mo., and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the article by this Department showed that it consisted essentially of boric acid, tragacanth, glycerin, a small proportion of lactic acid, traces of phenolic compound and a volatile oil, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the said article, were false and fraudulent: (Carton) "Prophylactique * * * Highly efficient in the Treatment of Leucorrhea,